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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gorringer *et al.*

Appl. No.: 09/763,750

Filed: June 4, 2001

For: **Superoxide Dismutase as a Vaccine
Antigen**

Confirmation No.: 1196

Art Unit: 1645

Examiner: Ford, V.

Atty. Docket: 1581.0780000/RWE/FRC

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Large Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated April 19, 2004, in which claims 1-20 and 28-35 were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 41.20(b)(1)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided in the attached PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

10/20/2004 EFLORES 00000062 09763750

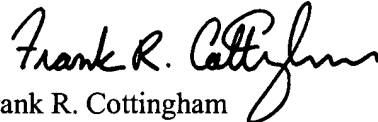
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Frank R. Cottingham". The signature is fluid and cursive, with the last name being more prominent.

Frank R. Cottingham
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Date: October 19, 2004

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